

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PPS DATA, LLC

vs.

JACK HENRY & ASSOCIATES, INC.

CIVIL ACTION No. 2:18-cv-0007-JRG

[PROPOSED] ORDER

CAME TO BE HEARD THIS DAY Plaintiff PPS Data, LLC's Opposed Motion to Strike Dr. Michalson's Expert Testimony Based on Undisclosed Materials and Contentions. Having considered the Motion, the Court is of the opinion that the Motion should be and hereby is GRANTED. The Court strikes all of Dr. Michalson's opinions (1) that rely on the undisclosed source code and undisclosed non-infringement theories; (2) that rely on undisclosed anticipation references as to the '430 and '106 patents; and (3) that rely on undisclosed combinations of prior art.